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Fax Transmittal

Date January 22, 2004 Client-Matter 53951.055

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Please find enclosed a Petition for Extension of Time Under 37 CFR 1.136(a).

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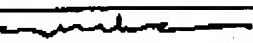
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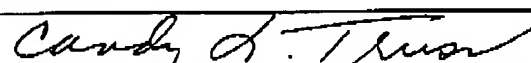
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| | | |
|-------------------------------------------------------------------------------------|------------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/037,429 |
| | Filing Date | January 4, 2002 |
| | First Named Inventor | Jeffrey H. Burbank |
| | Art Unit | 2856 |
| | Examiner Name | Frank, Rodney T. |
| Total Number of Pages in This Submission | Attorney Docket Number | 53951.055 |

| ENCLOSURES (Check all that apply) | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks <p style="text-align: center;"> → 26 PAGES TOTAL { • 1 TRANSMITTAL • 1 TIME EXTENSION • 24 AMENDMENT </p> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--------------------------------------------|-------------------------------------------------------------------------------------|
| Firm or Individual name | MARK A. CATAN, Reg. No. 38,720 |
| Signature |  |
| Date | January 22, 2004 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Candy L. Truss | | |
| Signature |  | Date | January 22, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor: BURBANK, et al.

Serial No.: 10/037,429

Filed: January 4, 2002

For: METHOD AND APPARATUS FOR LEAK
DETECTION IN BLOOD CIRCUITS
COMBINING EXTERNAL FLUID
DETECTION AND AIR INFILTRATION
DETECTION

Group Art Unit: 2856

Examiner: WIGGINS, John
David

Atty. Docket: 53951-055

RESPONSE TO OFFICE ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

In response to the Office Action mailed 11/24/2003, for which a shortened statutory period for response EXPIRED 12/24/2003, and for which a request for extension of time is filed concurrently with this amendment, please the enter the following provisional species election and amendments to the claims, and consider the attending remarks.

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile to (703) 872-9318 on the date shown below to the Commissioner for Patents.

Date of Transmission

January 22, 2004

Candy L. Truss / Candy L. Truss

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SUMMARY

The Office Action requires the provisional election of one of four species.

- Species I, corresponding to the embodiment of Fig. 1,
- Species II, corresponding to the embodiment of Fig. 2,
- Species III, corresponding to the embodiment of Fig. 4, and
- Species IV, corresponding to the embodiment of Fig. 6.

Applicants, while traversing the assertion by the Examiner that there are currently no generic claims, hereby make provisional election of Species I. Note that claims 3, 5, 12, 17, 18, 20, 25, 38, 39, 47, 60, 61, 65, 66, 67, 69, 70, 74, 75, 76, 78, 79, 81, 82 are generic.

The following table shows the correspondence between the claims and the species.

| Claims | Species I | Species II | Species III | Species IV | Basis |
|-------------------------------------------------------------------------------------------------------------------|-----------|------------|-------------|------------|-------------------------------------------|
| 3, 5, 12, 17, 18, 20, 25, 38, 39, 47, 60, 61, 65, 66, 67, 69, 70, 74, 75, 76, 78, 79, 81, 82 | X | X | X | X | Generic to all embodiments |
| 13, 14, 19, 40, 42, 62, 80 | | X | X | X | Recite flow reversing |
| 15, 68, 72, 73, 83 | X | | | X | Recite liquid sensor inside housing |

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| | | | | | |
|--------|---|--|--|---|--------------------------------------------------------|
| 63, 64 | | | | X | Recite flow reversing AND liquid sensor inside housing |
| 71, 72 | X | | | | Recite reversing pump |